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Fiftieth session
THIRD COMMITTEE
Agenda item 106

CRIME PREVENTION AND CRIMINAL JUSTICE

South Africa*: draft resolution

United Nations African Institute for the Prevention of Crime and Treatment of Offenders

The General Assembly,

Recalling its resolution 49/156 of 23 December 1994,

Recalling also Economic and Social Council resolution 1994/21 of 25 July 1994,

Aware of the financial difficulties that the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders continues to face as a result of the fact that many States of the African region are in the category of least developed countries and therefore lack the necessary resources with which to support the Institute,

Conscious of the efforts made thus far by the Institute in fulfilling its mandate through, inter alia, the organization of training programmes and regional seminars, as well as the provision of advisory services,

Having considered the report of the Secretary-General, 1/

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* On behalf of the States Members of the United Nations that are members of the Group of African States.

1/ A/50/375.

1. Commends the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for the activities it has undertaken, despite its difficulties in fulfilling its mandate, as reflected in the progress report of the Secretary-General on the activities of the United Nations Interregional Crime and Justice Research Institute and other institutes; 2/

2. Expresses its appreciation to those Governments and intergovernmental bodies which have supported the Institute in the discharge of its responsibilities;

3. Appeals to Governments and intergovernmental and non-governmental organizations to provide financial and technical support to the Institute to enable it to fulfil its objectives, in particular those concerning training, technical assistance, policy guidance, research and data collection;

4. Requests the Secretary-General to ensure that the Institute is provided with adequate funds, within the overall appropriation of the programme budget and from extrabudgetary resources, and to submit proposals for any necessary additional funding of the Institute, in accordance with General Assembly decision 49/480 of 6 April 1995;

5. Also requests the Secretary-General to mobilize additional extrabudgetary resources for the implementation of the activities of the Institute;

6. Requests the Administrator of the United Nations Development Programme to resume its assistance programme to the Institute, which was ended in October 1994, and to continue providing appropriate funds for the institutional strengthening and the implementation of the programme of work of the Institute, taking into account the difficult economic and financial situation faced by many countries in the African region;

7. Requests the Secretary-General to ensure proper follow-up with all concerned on the implementation of the present resolution, and to report thereon to the General Assembly at its fifty-first session and to the Commission on Crime Prevention and Criminal Justice at its fifth session.

2/ E/CN.15/1995/9 and Add.1.

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REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

South Africa:* draft resolution

Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling its resolution 49/174 of 23 December 1994,

Having considered the report of the Secretary-General 1/ and the report of the United Nations High Commissioner for Refugees, 2/

Bearing in mind the fact that most of the affected countries are least developed countries,

Convinced of the necessity to strengthen the capacity within the United Nations system for the implementation and overall coordination of relief programmes for refugees, returnees and displaced persons,

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* On behalf of the States Members of the United Nations that are members of the Group of African States.

1/ A/50/413.

2/ Official Records of the General Assembly, Fiftieth Session, Supplement No. 12 (A/50/12).

95-34855 (E) 131195 141195

Welcoming the prospects for voluntary repatriation and durable solutions to the refugee problems throughout Africa,

Recalling its resolution 49/7 of 25 October 1994, in which it endorsed the convening of a regional conference on assistance to refugees, returnees and displaced persons in the Great Lakes region,

Taking into account resolution CM/Res.1588 (LXII) on refugees, returnees and displaced persons in Africa, adopted by the Council of Ministers of the Organization of African Unity at its sixty-second ordinary session, held at Addis Ababa from 21 to 23 June 1995, 3/

Recognizing the need for States to create conditions conducive to the prevention of flows of refugees and displaced persons and to voluntary repatriation,

Bearing in mind that the majority of refugees and displaced persons are women and children,

1. Takes note of the report of the Secretary-General and the report of the United Nations High Commissioner for Refugees;

2. Notes with concern the effects of political instability, internal strife, human rights violations, foreign intervention, poverty and natural disasters, such as drought, in increasing the number of refugees and displaced persons in some countries of Africa;

3. Expresses deep concern at the serious and far-reaching consequences of the presence of large numbers of refugees and displaced persons in the receiving countries and the implications for their security, their long-term socio-economic development and the environment;

4. Expresses its appreciation and strong support for those African Governments and local populations which, in spite of the general deterioration of socio-economic and environmental conditions, as well as over-stretched national resources, continue to accept the additional burdens imposed by increasing numbers of refugees and displaced persons, in compliance with the relevant principles of asylum;

5. Commends the Governments concerned for their sacrifices, for providing assistance to refugees, returnees and displaced persons and for their efforts to promote voluntary repatriation and other measures taken to find appropriate and lasting solutions;

6. Expresses its gratitude to the international community for humanitarian assistance it has continued to render to refugees and displaced persons and to the countries of asylum, and calls upon it to continue to provide assistance to the millions of refugees and displaced persons in Africa;

3/ See A/50/647, annex I.

7. Expresses its concern regarding instances, in some parts of Africa, where the fundamental principle of asylum is jeopardized as a result of unlawful expulsion, refoulement, or other threats to life, physical security, dignity and well-being;

8. Welcomes the strengthening of cooperation between the Office of the United Nations High Commissioner for Refugees and the Organization of African Unity at all levels, and urges the two organizations, with relevant subregional bodies, United Nations and non-governmental organizations, the international community and the Governments concerned, to increase their efforts to address the root causes, work out strategies and find durable solutions to the problems of displacement in Africa;

9. Also welcomes the initiatives of the High Commissioner to implement General Assembly resolution 49/7, and endorses the Plan of Action adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995, as a framework for solution-oriented approaches to the humanitarian problems in the Great Lakes region;

10. Calls upon the Office of the High Commissioner to intensify its protection activities by, inter alia, supporting the efforts of African Governments through appropriate training of relevant officers and other capacity-building activities, disseminating information about refugee instruments and principles and providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees;

11. Expresses its appreciation for the efforts of Governments and for the important work being done by the Office of the High Commissioner, United Nations organizations, the International Organization for Migration, non-governmental organizations and other cooperating bodies on the implementation of voluntary repatriation of refugees in Africa, and calls upon the Office of the High Commissioner, in conjunction with the Organization of African Unity and Governments concerned, subregional groupings and other interested parties, actively to continue to seek sustainable solutions to the refugee problem in Africa, in particular through facilitating voluntary return in a dignified and orderly manner;

12. Appeals to Governments, United Nations and non-governmental organizations and the international community to create conditions that can facilitate the voluntary return and the early rehabilitation and reintegration of refugees;

13. Commends the Governments of the Great Lakes region and the High Commissioner on their initiatives to promote repatriation within the framework of tripartite agreements on voluntary repatriation of refugees in the region;

14. Encourages the Office of the High Commissioner to continue to cooperate with the office of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights and fundamental freedoms in emergency humanitarian situations in Africa;

15. Calls upon the Office of the High Commissioner, in conjunction with host Governments, United Nations and non-governmental organizations and the international community, to undertake an early assessment of the negative impacts of large refugee concentrations on the host communities, with a view to initiating timely and concrete measures to prevent damage and to assist in its repair, especially damage caused by mass refugee influxes to the environment and ecosystems in host countries;

16. Notes with satisfaction the voluntary return of millions of refugees to their homelands following the successful repatriation and reintegration operations carried out by the Office of the High Commissioner with the cooperation and collaboration of many countries hosting refugees, and looks forward to other programmes to assist the voluntary repatriation of all refugees in Africa;

17. Expresses its concern about the long stay of refugees in certain African countries and calls upon the High Commissioner to keep under review her programmes in those countries, taking into account the increasing requirements there;

18. Expresses its appreciation to the Secretary-General, the High Commissioner, the specialized agencies, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, donor countries and intergovernmental and non-governmental organizations for their assistance in mitigating the plight of the large number of refugees, returnees and displaced persons;

19. Expresses the hope that additional resources will be made available for general refugee programmes to keep pace with refugee needs;

20. Calls upon Governments, United Nations organizations, non-governmental organizations and the international community as a whole to strengthen the emergency response capacity of the Office of the High Commissioner on the basis of the experience of the emergency in Rwanda, and to continue providing needed resources and operational support to Rwandese refugees and the host countries until a permanent solution can be implemented;

21. Also calls upon the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure in areas affected by refugees in countries of asylum;

22. Further calls upon Member States and intergovernmental and non-governmental organizations to continue to provide the necessary support and financial assistance to the High Commissioner to enhance her capacities and abilities to implement emergency operations, care and maintenance activities and repatriation and reintegration programmes for the benefit of refugees, returnees and, as appropriate, internally displaced persons;

23. Appeals to Member States and international and non-governmental organizations to provide adequate financial, material and technical assistance for relief and rehabilitation programmes for the large number of refugees,

voluntary returnees and displaced persons and victims of natural disasters and to the affected countries;

24. Requests all Governments and intergovernmental and non-governmental organizations to pay particular attention to meeting the special needs of refugee women and children;

25. Calls upon the Secretary-General, the High Commissioner, the Department of Humanitarian Affairs of the Secretariat, United Nations humanitarian organizations, the International Federation of Red Cross and Red Crescent Societies, regional and international financial institutions, the International Organization for Migration and non-governmental organizations to increase the capacity for coordination and delivery of humanitarian emergency assistance and disaster relief in general, and to engage specifically in the building of capacity to mobilize effective regionalized burden-sharing by the High Commissioner, the Department of Humanitarian Affairs, United Nations humanitarian organizations, States and others concerned in respect of asylum, relief, repatriation, rehabilitation and resettlement of refugees, returnees and displaced persons, including those refugees in urban areas;

26. Requests the High Commissioner to review her general programmes in Africa to take account of the increasing requirements in that region and with a view to continuing her efforts and expanding her activities, within the context of effective regional burden-sharing with the Department of Humanitarian Affairs, other appropriate United Nations humanitarian organizations, the Organization of African Unity, other intergovernmental organizations, regional organizations and governmental and non-governmental organizations, in order to consolidate aid and increase essential services to refugees, returnees and displaced persons;

27. Requests the Secretary-General to submit a comprehensive and consolidated report on the situation of refugees, returnees and displaced persons in Africa to the General Assembly at its fifty-first session, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions", and an oral report to the Economic and Social Council at its substantive session of 1996.

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REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

Jordan, Mauritania, Morocco, Pakistan, Qatar and Sudan: draft resolution

Assistance to unaccompanied refugee minors

The General Assembly,

Reaffirming its resolution 49/172 of 23 December 1994,

Aware that the majority of refugees are children and women,

Bearing in mind that unaccompanied refugee minors are among the most vulnerable refugees and require special assistance and care,

Mindful of the fact that the ultimate solution to the plight of those unaccompanied minors is their return to and reunification with their families,

Noting that the Office of the United Nations High Commissioner for Refugees has developed revised Guidelines on Refugee Children, issued in May 1994,

Noting also the efforts of the High Commissioner to ensure the protection of and assistance to refugees, including children and unaccompanied minors, and that further efforts need to be exerted to this effect,

Recalling the provisions of the Convention on the Rights of the Child 1/ and the 1951 Convention 2/ and the 1967 Protocol 3/ relating to the Status of Refugees,

1. Takes note of the report of the Secretary-General; 4/

2. Expresses its deep concern at the plight of unaccompanied refugee minors, and emphasizes the urgent need for their early identification and for timely, detailed and accurate information on their number and whereabouts;

3. Calls upon all Governments, the Secretary-General, the United Nations High Commissioner for Refugees, all United Nations organizations, other international organizations and non-governmental organizations concerned to exert the maximum effort to assist and protect refugee minors and to expedite the return to and reunification with their families of unaccompanied refugee minors;

4. Urges the Office of the United Nations High Commissioner for Refugees, all United Nations organizations, other international organizations and non-governmental organizations concerned to take appropriate steps to mobilize resources commensurate to the needs and interests of the unaccompanied refugee minors and for their reunification with their families;

5. Condemns all acts of exploitation of unaccompanied refugee minors, including their use as soldiers or human shields in armed conflict and their recruitment in military forces, and any other acts that endanger their safety and personal security;

6. Calls upon the Secretary-General, the High Commissioner, the Department of Humanitarian Affairs of the Secretariat, the United Nations Children's Fund and other United Nations organizations and international organizations to mobilize adequate assistance to unaccompanied minors in the areas of relief, education, health and psychological rehabilitation;

7. Requests the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution.

1/ General Assembly resolution 44/25, annex.

2/ United Nations, Treaty Series, vol. 189, No. 2545.

3/ Ibid., vol. 606, No. 8791.

4/ A/50/555.

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REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

Armenia, Belarus, Denmark, Georgia, Germany, Hungary, Iceland, Kazakstan, Kyrgyzstan, Norway, Russian Federation, Spain and Ukraine: draft resolution

Comprehensive consideration and review of the problems of refugees, returnees, displaced persons and related migratory movements

The General Assembly,

Recalling the 1951 Convention 1/ and the 1967 Protocol 2/ relating to the Status of Refugees,

Recalling also its resolutions 48/113 of 20 December 1993 and 49/173 of 23 December 1994,

Having considered the report of the Secretary-General 3/ and the report of the United Nations High Commissioner for Refugees, 4/

1/ United Nations, Treaty Series, vol. 189, No. 2545.

2/ Ibid., vol. 606, No. 8791.

3/ A/50/414.

4/ Official Records of the General Assembly, Fiftieth Session, Supplement No. 12 (A/50/12); and ibid., Supplement No. 12A (A/50/12/Add.1).

95-35169 (E) 131195 141195

Reaffirming the need for the international community to consider comprehensive approaches for the coordination of action with regard to refugees, returnees, displaced persons and related migratory movements,

Considering the magnitude of existing and potential refugee and related migratory movements in the countries of the Commonwealth of Independent States and relevant neighbouring States,

1. Takes note of the report of the Secretary-General 3/ as well as of the report of the United Nations High Commissioner for Refugees, 4/ in particular paragraph 30 of the addendum to the report;

2. Calls upon the United Nations High Commissioner for Refugees, in consultation with States concerned and in coordination with relevant intergovernmental, regional and non-governmental organizations, to continue to consider and develop comprehensive regional approaches to the problems of refugees and displaced persons;

3. Expresses its appreciation to the High Commissioner for her efforts to promote and develop a transparent preparatory process for a regional conference to address the problems of refugees, returnees, displaced persons and other forms of involuntary displacement in the countries of the Commonwealth of Independent States and relevant neighbouring States;

4. Welcomes the establishment of a common secretariat for the preparation of the Conference, comprising the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe and its Office for Democratic Institutions and Human Rights;

5. Requests the High Commissioner, in close cooperation with States and intergovernmental organizations concerned, to convene the Conference in 1996;

6. Expresses its appreciation to the United Nations bodies and agencies and other international organizations and institutions for their valuable contribution to the preparatory process leading to the Conference;

7. Urges all States concerned and appropriate intergovernmental, regional and non-governmental organizations to support that process;

8. Appeals to all States and regional and intergovernmental organizations to provide the necessary support and resources needed by the Secretariat for the preparation and holding of the Conference;

9. Requests the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution.

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REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

Albania, Argentina, Armenia, Australia, Austria, Belgium, Belize, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, Malawi, Monaco, Morocco, Namibia, Netherlands, Norway, Pakistan, Panama, Poland, Portugal, Republic of Korea, Russian Federation, Rwanda, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: draft resolution

Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of her Office 1/ and the report of the Executive Committee of the Programme of the High Commissioner on the work of its forty-sixth session, 2/

Recalling its resolution 49/169 of 23 December 1994,

1/ Official Records of the General Assembly, Fiftieth Session, Supplement No. 12 (A/50/12).

2/ Ibid., Supplement No. 12A (A/50/12/Add.1).

Emphasizing the primacy of the 1951 Convention 3/ and the 1967 Protocol 4/ relating to the Status of Refugees as forming the international legal basis for the protection of refugees, and noting with satisfaction that 130 States are now parties to one or both instruments,

Reaffirming the purely humanitarian and non-political character of the activities of the Office of the High Commissioner, as well as the crucial importance of the High Commissioner's functions of providing international protection to refugees and seeking solutions to refugee problems,

Commending the High Commissioner and her staff for the competent, courageous and dedicated manner in which they discharge their responsibilities, paying tribute to those staff members who have endangered or lost their lives in the course of their duties, and emphasizing the urgent need for effective measures to ensure the security of staff engaged in humanitarian operations,

Distressed at the continued suffering of refugees for whom a solution has yet to be found, and noting with deep concern that refugee protection continues to be jeopardized in many situations as a result of denial of admission, unlawful expulsion, refoulement, unjustified detention, other threats to their physical security, dignity and well-being and failure to respect and ensure their fundamental freedoms and human rights,

Welcoming the continuing strong commitment of States to providing protection and assistance to refugees and the valuable support extended by Governments to the High Commissioner in carrying out her humanitarian tasks, and commending those States, particularly the least developed and those hosting millions of refugees over long periods of time, which, despite severe economic, development and environmental challenges of their own, continue to admit large numbers of refugees into their territories,

Concerned that statelessness, including the inability to establish one's nationality, may result in displacement, and stressing, in this regard, that the prevention and reduction of statelessness and the protection of stateless persons are important also in the prevention of potential refugee situations,

1. Strongly reaffirms the fundamental importance of the function of the Office of the United Nations High Commissioner for Refugees of providing international protection to refugees and seeking solutions to refugee problems, and the need for States to cooperate fully with the Office in order to facilitate the effective exercise of that function;

2. Calls upon all States that are not yet party to accede to, and all States to implement fully, the 1951 Convention and its 1967 Protocol relating to the Status of Refugees, and relevant regional refugee instruments, as applicable, for the protection of refugees;

3/ United Nations, Treaty Series, vol. 189, No. 2545.

4/ Ibid., vol. 606, No. 8791.

3. Also calls upon all States to uphold asylum as an indispensable instrument for the protection of refugees, to safeguard the right to seek and enjoy in other countries asylum from persecution and to ensure respect for the principles of refugee protection, including the fundamental principle of non-refoulement, as well as the humane treatment of asylum-seekers and refugees in accordance with internationally recognized human rights and humanitarian norms;

4. Reaffirms the continued importance of resettlement as an instrument of protection;

5. Reiterates its support for the role of the Office of the High Commissioner in exploring further measures to ensure international protection to all who need it, consistent with fundamental protection principles reflected in international instruments, and looks forward to the informal consultations of the Office of the High Commissioner on the subject;

6. Calls for a more concerted response by the international community to the needs of internally displaced persons and, in accordance with its resolution 48/116, reaffirms its support for the High Commissioner's efforts, on the basis of specific requests from the Secretary-General or the competent principal organs of the United Nations and with the consent of the State concerned, and taking into account the complementarities of the mandates and expertise of other relevant organizations, to provide humanitarian assistance and protection to such persons, emphasizing that activities on behalf of internally displaced persons must not undermine the institution of asylum, including the right to seek and enjoy in other countries asylum from persecution;

7. Reiterates also the relationship between safeguarding human rights and preventing refugee situations, recognizes that for States to fulfil their humanitarian responsibilities in reintegrating returning refugees and in addressing some of the causes of refugee movements, an effective human rights regime is essential, including institutions which sustain the rule of law, justice and accountability, and in this connection calls upon the Office of the High Commissioner to strengthen its activities in support of national legal and judicial capacity-building, where necessary, in cooperation with the United Nations High Commissioner for Human Rights;

8. Reiterates further the critical importance of development and rehabilitation assistance in addressing some of the causes of refugee situations, and also in the context of development of prevention strategies;

9. Condemns all forms of ethnic violence and intolerance, which are among the major causes of forced displacements, as well as an impediment to durable solutions to refugee problems, and appeals to States to combat intolerance, racism and xenophobia and to foster empathy and understanding through public statements, appropriate legislation and social policies, especially with regard to the special situation of refugees and asylum-seekers;

10. Welcomes the Platform for Action adopted at the Fourth World Conference on Women, held at Beijing from 4 to 15 September 1995, 5/ particularly the strong commitment made by States in the Platform to refugee women and other displaced women in need of international protection, and calls upon the High Commissioner to support and promote efforts by States towards the development and implementation of criteria and guidelines on responses to persecution, including persecution through sexual violence or other gender-related persecution, specifically aimed at women for reasons enumerated in the 1951 Convention and 1967 Protocol, by sharing information on States' initiatives to develop such criteria and guidelines and by monitoring to ensure their fair and consistent application;

11. Reiterates that, the grant of asylum or refuge being a peaceful and humanitarian act, refugee camps and settlements must maintain their exclusively civilian and humanitarian character and all parties are obliged to abstain from any activity likely to undermine this, condemns all acts that pose a threat to the personal security of refugees and asylum-seekers, and also those that may endanger the safety and stability of States, calls upon States of refuge to take all necessary measures to ensure that the civilian and humanitarian character of refugee camps and settlements is maintained, and further calls upon States of refuge to take effective measures to prevent the infiltration of armed elements, to provide effective physical protection to refugees and asylum-seekers and to afford the Office of the High Commissioner and other appropriate humanitarian organizations prompt and unhindered access to them;

12. Encourages the High Commissioner to continue her activities on behalf of stateless persons, as part of her statutory function of providing international protection and of seeking preventive action, as well as her responsibilities under General Assembly resolutions 3274 (XXIV) of 10 December 1974 and 31/36 of 30 November 1976;

13. Requests the Office of the High Commissioner, in view of the limited number of States party to these instruments, actively to promote accession to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, as well as to provide relevant technical and advisory services pertaining to the preparation and implementation of nationality legislation to interested States;

14. Calls upon States to adopt nationality legislation with a view to reducing statelessness, consistent with fundamental principles of international law, in particular by preventing arbitrary deprivation of nationality and by eliminating provisions that permit the renunciation of a nationality without the prior possession or acquisition of another nationality;

15. Reaffirms that voluntary repatriation, when it is feasible, is the ideal solution to refugee problems, reiterates the right of all persons to return to their country, and emphasizes in this regard the prime responsibility of countries of origin for establishing conditions that allow voluntary repatriation of refugees in safety and with dignity and, in recognition of the

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5/ A/CONF.177/20, chap. I, resolution 1, annex II.

obligation of all States to accept the return of their nationals, calls upon all States to facilitate the return of their nationals who are not recognized as refugees;

16. Calls upon all States to promote conditions conducive to the return of refugees and to support their sustainable reintegration by providing countries of origin with necessary rehabilitation and development assistance in conjunction, as appropriate, with the Office of the High Commissioner and relevant development agencies;

17. Recalls Economic and Social Council resolution 1995/56 of 29 July 1995 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, and welcomes the decision of the Executive Committee to review in the course of 1996 aspects of that resolution relevant to the work of the Office of the High Commissioner;

18. Notes with appreciation the programme policies established by the Executive Committee of the High Commissioner's Programme and underscores the importance of their implementation by the Office of the High Commissioner, implementing partners and other relevant organizations in order to ensure the provision of effective protection and humanitarian assistance to refugees;

19. Reaffirms the importance of incorporating environmental considerations into the programmes of the Office of the High Commissioner, especially in the least developed and developing countries that have hosted refugees over long periods of time, welcomes efforts by the Office of the High Commissioner to make a more focused contribution to resolving refugee-related environmental problems, and calls upon the High Commissioner to promote and enhance coordination and collaboration with host Governments, donors, relevant United Nations organizations, intergovernmental organizations, non-governmental organizations and other actors concerned to address refugee-related environmental problems in a more integrated and effective manner;

20. Recognizes the importance of the introduction of Russian as an official language of the Executive Committee of the Programme of the High Commissioner in facilitating the work of the High Commissioner and implementation of the provisions of the 1951 Convention relating to the Status of Refugees, notably in the Commonwealth of Independent States;

21. Calls upon all Governments and other donors to show their international solidarity and burden-sharing with countries of asylum through efforts aimed at alleviating the burden borne by States that have received large numbers of refugees, in particular those with limited resources, and to contribute to the programmes of the Office of the High Commissioner and, taking into account the effect on countries of asylum of the increasing requirements of large refugee populations, and the need to widen the donor base and to achieve greater burden-sharing among donors, to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector in order to ensure that the needs of refugees, returnees and other displaced persons of concern to the Office of the High Commissioner are met.

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REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

Albania, Argentina, Armenia, Australia, Austria, Belgium, Belize, Bosnia and Herzegovina, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Dominican Republic, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Malawi, Monaco, Morocco, Mozambique, Namibia, Netherlands, Norway, Pakistan, Panama, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: revised draft resolution

Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of her Office 1/ and the report of the Executive Committee of the Programme of the High Commissioner on the work of its forty-sixth session, 2/

Recalling its resolution 49/169 of 23 December 1994,

1/ Official Records of the General Assembly, Fiftieth Session, Supplement No. 12 (A/50/12).

2/ Ibid., Supplement No. 12A (A/50/12/Add.1).

Reaffirming the importance of the 1951 Convention 3/ and the 1967 Protocol 4/ relating to the Status of Refugees as the cornerstone of the international system for the protection of refugees, and noting with satisfaction that 130 States are now parties to one or both instruments,

Reaffirming also the purely humanitarian and non-political character of the activities of the Office of the High Commissioner, as well as the crucial importance of the High Commissioner's functions of providing international protection to refugees and seeking solutions to refugee problems,

Commending the High Commissioner and her staff for the competent, courageous and dedicated manner in which they discharge their responsibilities, paying tribute to those staff members who have endangered or lost their lives in the course of their duties, and emphasizing the urgent need for effective measures to ensure the security of staff engaged in humanitarian operations,

Distressed at the continued suffering of refugees for whom a solution has yet to be found, and noting with deep concern that refugee protection continues to be jeopardized in many situations as a result of denial of admission, unlawful expulsion, refoulement, unjustified detention, other threats to their physical security, dignity and well-being and failure to respect and ensure their fundamental freedoms and human rights,

Welcoming the continuing strong commitment of States to providing protection and assistance to refugees and the valuable support extended by Governments to the High Commissioner in carrying out her humanitarian tasks, and commending those States, particularly the least developed and those hosting millions of refugees over long periods of time, which, despite severe economic, development and environmental challenges of their own, continue to admit large numbers of refugees into their territories,

Recognizing that, in certain regions, misuse by individuals of asylum procedures jeopardizes the institution of asylum and adversely affects the prompt and effective protection of refugees,

Concerned that statelessness, including the inability to establish one's nationality, may result in displacement, and stressing, in this regard, that the prevention and reduction of statelessness and the protection of stateless persons are important also in the prevention of potential refugee situations,

1. Strongly reaffirms the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the United Nations High Commissioner for Refugees of providing international protection to refugees and seeking solutions to refugee problems, and the need for States to cooperate fully with the Office in order to facilitate the effective exercise of that function;

3/ United Nations, Treaty Series, vol. 189, No. 2545.

4/ Ibid., vol. 606, No. 8791.

2. Calls upon all States that have not yet done so to accede to and to implement fully the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, and relevant regional refugee instruments, as applicable, for the protection of refugees;

3. Also calls upon all States to uphold asylum as an indispensable instrument for the protection of refugees, to ensure respect for the principles of refugee protection, including the fundamental principle of non-refoulement, as well as the humane treatment of asylum-seekers and refugees in accordance with internationally recognized human rights and humanitarian norms;

4. Reaffirms that everyone, without distinction of any kind, is entitled to the right to seek and enjoy in other countries asylum from persecution;

5. Reiterates the importance of ensuring access, for all persons seeking international protection, to fair and efficient procedures for the determination of refugee status or, as appropriate, to other mechanisms to ensure that persons in need of international protection are identified and granted such protection, while not diminishing the protection afforded to refugees under the terms of the 1951 Convention, the 1967 Protocol and relevant regional instruments;

6. Reaffirms the continued importance of resettlement as an instrument of protection;

7. Reiterates its support for the role of the Office of the High Commissioner in exploring further measures to ensure international protection to all who need it, consistent with fundamental protection principles reflected in international instruments, and looks forward to the informal consultations of the Office of the High Commissioner on the subject;

8. Calls for a more concerted response by the international community to the needs of internally displaced persons and, in accordance with its resolution 49/169, reaffirms its support for the High Commissioner's efforts, on the basis of specific requests from the Secretary-General or the competent principal organs of the United Nations and with the consent of the State concerned, and taking into account the complementarities of the mandates and expertise of other relevant organizations, to provide humanitarian assistance and protection to such persons, emphasizing that activities on behalf of internally displaced persons must not undermine the institution of asylum, including the right to seek and enjoy in other countries asylum from persecution;

9. Reiterates the relationship between safeguarding human rights and preventing refugee situations, recognizes that the effective promotion and protection of human rights and fundamental freedoms, including through institutions that sustain the rule of law, justice and accountability, are essential for States to address some of the causes of refugee movements and for States to fulfil their humanitarian responsibilities in reintegrating returning refugees and in this connection calls upon the Office of the High Commissioner to strengthen its activities in support of national legal and judicial capacity-building, where necessary, in cooperation with the United Nations High Commissioner for Human Rights;

10. Also reiterates that development and rehabilitation assistance is essential in addressing some of the causes of refugee situations, as well as in the context of the development of prevention strategies;

11. Condemns all forms of ethnic violence and intolerance, which are among the major causes of forced displacements, as well as an impediment to durable solutions to refugee problems, and appeals to States to combat intolerance, racism and xenophobia and to foster empathy and understanding through public statements, appropriate legislation and social policies, especially with regard to the special situation of refugees and asylum-seekers;

12. Welcomes the Platform for Action adopted at the Fourth World Conference on Women, held at Beijing from 4 to 15 September 1995, 5/ particularly the strong commitment made by States in the Platform to refugee women and other displaced women in need of international protection, and calls upon the High Commissioner to support and promote efforts by States towards the development and implementation of criteria and guidelines on responses to persecution, including persecution through sexual violence or other gender-related persecution, specifically aimed at women for reasons enumerated in the 1951 Convention and 1967 Protocol, by sharing information on States' initiatives to develop such criteria and guidelines and by monitoring to ensure their fair and consistent application by the States concerned;

13. Reiterates that, the grant of asylum or refuge being a peaceful and humanitarian act, refugee camps and settlements must maintain their exclusively civilian and humanitarian character and all parties are obliged to abstain from any activity likely to undermine this, condemns all acts that pose a threat to the personal security of refugees and asylum-seekers, and also those that may endanger the safety and stability of States, calls upon States of refuge to take all necessary measures to ensure that the civilian and humanitarian character of refugee camps and settlements is maintained, and further calls upon States of refuge to take effective measures to prevent the infiltration of armed elements, to provide effective physical protection to refugees and asylum-seekers and to afford the Office of the High Commissioner and other appropriate humanitarian organizations prompt and unhindered access to them;

14. Encourages the High Commissioner to continue her activities on behalf of stateless persons, as part of her statutory function of providing international protection and of seeking preventive action, as well as her responsibilities under General Assembly resolutions 3274 (XXIV) of 10 December 1974 and 31/36 of 30 November 1976;

15. Requests the Office of the High Commissioner, in view of the limited number of States party to these instruments, actively to promote accession to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, as well as to provide relevant technical and advisory services pertaining to the preparation and implementation of nationality legislation to interested States;

5/ A/CONF.177/20, chap. I, resolution 1, annex II.

16. Calls upon States to adopt nationality legislation with a view to reducing statelessness, consistent with fundamental principles of international law, in particular by preventing arbitrary deprivation of nationality and by eliminating provisions that permit the renunciation of a nationality without the prior possession or acquisition of another nationality;

17. Reaffirms that voluntary repatriation, when it is feasible, is the ideal solution to refugee problems, and calls upon countries of origin, countries of asylum, the Office of the High Commissioner and the international community as a whole to do everything possible to enable refugees their right to return home in safety and dignity;

18. Reiterates the right of all persons to return to their country, and emphasizes in this regard the prime responsibility of countries of origin for establishing conditions that allow voluntary repatriation of refugees in safety and with dignity and, in recognition of the obligation of all States to accept the return of their nationals, calls upon all States to facilitate the return of their nationals who are not recognized as refugees;

19. Calls upon all States to promote conditions conducive to the return of refugees and to support their sustainable reintegration by providing countries of origin with necessary rehabilitation and development assistance in conjunction, as appropriate, with the Office of the High Commissioner and relevant development agencies;

20. Recalls Economic and Social Council resolution 1995/56 of 29 July 1995 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, and welcomes the decision of the Executive Committee to review in the course of 1996 aspects of that resolution relevant to the work of the Office of the High Commissioner;

21. Notes with appreciation the programme policies established by the Executive Committee of the High Commissioner's Programme, and underscores the importance of their implementation by the Office of the High Commissioner, implementing partners and other relevant organizations in order to ensure the provision of effective protection and humanitarian assistance to refugees;

22. Reaffirms the importance of incorporating environmental considerations into the programmes of the Office of the High Commissioner, especially in the least developed and developing countries that have hosted refugees over long periods of time, welcomes efforts by the Office of the High Commissioner to make a more focused contribution to resolving refugee-related environmental problems, and calls upon the High Commissioner to promote and enhance coordination and collaboration with host Governments, donors, relevant United Nations organizations, intergovernmental organizations, non-governmental organizations and other actors concerned to address refugee-related environmental problems in a more integrated and effective manner;

23. Recognizes the importance of the introduction of Russian as an official language of the Executive Committee of the Programme of the High Commissioner in facilitating the work of the High Commissioner and

implementation of the provisions of the 1951 Convention relating to the Status of Refugees, notably in the Commonwealth of Independent States;

24. Calls upon all Governments and other donors to demonstrate their international solidarity and burden-sharing with countries of asylum through efforts aimed at continuing to alleviate the burden borne by States that have received large numbers of refugees, in particular those with limited resources, and to contribute to the programmes of the Office of the High Commissioner and, taking into account the effect on countries of asylum of the increasing requirements of large refugee populations and the need to widen the donor base and to achieve greater burden-sharing among donors, to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector in order to ensure that the needs of refugees, returnees and other displaced persons of concern to the Office of the High Commissioner are met.

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Fiftieth session
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Agenda item 107

ADVANCEMENT OF WOMEN

Philippines*: draft resolution

Proposed merger of the International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women

The General Assembly,

Recalling its resolution 48/111 of 20 December 1993 regarding the proposal to merge the United Nations International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women,

Recalling also General Assembly resolution 49/160 of 23 December 1994 regarding the proposed merger,

Bearing in mind the report of the Secretary-General submitted pursuant to General Assembly resolution 48/111, dated 7 July 1994, 1/

Bearing also in mind the report of the Advisory Committee on Administrative and Budgetary Questions prepared in compliance with General Assembly resolution 48/111, dated 7 September 1994, 2/

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* On behalf of the States Members of the United Nations that are members of the Group of 77.

1/ A/49/217-E/1994/103.

2/ A/49/365-E/1994/119.

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Taking into consideration the request made by the General Assembly in its resolution 49/160 to the Secretary-General that he submit, through the Advisory Committee on Administrative and Budgetary Questions, an updated report, which would contain, inter alia, the information requested in Economic and Social Council decision 1993/235 of 27 July 1993 and in paragraphs 2 and 3 of General Assembly resolution 48/111, as well as the additional information requested by the Advisory Committee,

Taking also into consideration paragraph 5 of General Assembly resolution 49/160, which requested the Economic and Social Council to re-examine the issue at a resumed session to take place after the Fourth World Conference on Women and before the Third Committee of the General Assembly considered the item on the advancement of women, taking into account the deliberations of the Commission on the Status of Women at its thirty-ninth session and of the Fourth World Conference concerning institutional arrangements in the United Nations system for the advancement of women,

Keeping in mind that the Commission on the Status of Women did not give an opinion on this matter, as requested in General Assembly resolution 49/160, owing to the lack of proper documentation and background information,

Keeping also in mind that the Platform for Action of the Fourth World Conference on Women, 3/ in reviewing the institutional arrangements for the advancement of women within the United Nations system, was of the opinion that all the institutional arrangements should be strengthened and provided with the necessary resources to permit them to contribute to the implementation of the Platform for Action, as adopted,

Keeping further in mind that the Platform for Action of the Fourth World Conference on Women did not recommend the proposed merger of the Institute and the Fund but outlined their mandates separately and distinctly,

1. Recommends that the interaction between the Commission on the Status of Women, the International Research and Training Institute for the Advancement of Women, the Committee on the Elimination of Discrimination against Women, the Division for the Advancement of Women of the Secretariat and the United Nations Development Fund for Women should be reviewed and rationalized within the context of ongoing efforts to revitalize the Economic and Social Council in pursuance of a stronger, more unified programme for the advancement of women as requested in paragraph 3 of General Assembly resolution 48/111;

2. Also recommends that any proposal dealing with the institutional structure and the mandates of the different United Nations bodies responsible for the advancement of women must be considered part of the general restructuring exercise of the United Nations;

3. Reaffirms the statute of the Institute adopted by the General Assembly in its resolution 39/249 of 9 April 1985;

3/ A/CONF.177/20, chap. I.

4. Endorses the opinion expressed by the Inspector in the report of the Joint Inspection Unit 4/ entitled "The advancement of women through and in the programmes of the United Nations system: what happens after the Fourth World Conference on Women", which reaffirms that the vast majority of women, and the most pressing problems for women, are in the developing world and that therefore at least one of the specific United Nations women's units should be based there as well;

5. Also endorses the view expressed in paragraph 360 of the Beijing Platform for Action that the Institute has an important role to play in the implementation of the Platform for Action and therefore the resources provided by the international community need to be sufficient and should be maintained at an adequate level;

6. Concurs with the recommendations of the Fourth World Conference on Women on the mandates and future roles of the Institute and the Fund, as outlined separately and distinctly in the Beijing Platform for Action, and believes that this distinction should be maintained;

7. Decides that, as the necessary elements do not exist to justify a merger of the Institute and the Fund, the merger should not proceed as proposed.

4/ A/50/509, para. 225.

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ADVANCEMENT OF WOMEN

Philippines*: revised draft resolution

Proposed merger of the International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women

The General Assembly,

Recalling its resolution 48/111 of 20 December 1993 regarding the proposal to merge the United Nations International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women,

Recalling also General Assembly resolution 49/160 of 23 December 1994 regarding the proposed merger,

Bearing in mind the report of the Secretary-General dated 7 July 1994, 1/ submitted pursuant to General Assembly resolution 48/111,

Bearing also in mind the report of the Advisory Committee on Administrative and Budgetary Questions prepared in compliance with General Assembly resolution 48/111, dated 7 September 1994, 2/

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* On behalf of the States Members of the United Nations that are members of the Group of 77.

1/ A/49/217-E/1994/103.

2/ A/49/365-E/1994/119.

Taking into consideration the request made by the General Assembly in its resolution 49/160 to the Secretary-General that he submit, through the Advisory Committee on Administrative and Budgetary Questions, an updated report, which would contain, inter alia, the information requested in Economic and Social Council decision 1993/235 of 27 July 1993 and in paragraphs 2 and 3 of General Assembly resolution 48/111, as well as the additional information requested by the Advisory Committee,

Taking also into consideration paragraph 5 of General Assembly resolution 49/160, which requested the Economic and Social Council to re-examine the issue at a resumed session to take place after the Fourth World Conference on Women and before the Third Committee of the General Assembly considered the item on the advancement of women, taking into account the deliberations of the Commission on the Status of Women at its thirty-ninth session, the Fourth World Conference and the Advisory Committee on Administrative and Budgetary Questions concerning institutional arrangements in the United Nations system for the advancement of women,

Keeping in mind that the Commission on the Status of Women did not give an opinion on this matter, as requested in General Assembly resolution 49/160, owing to the lack of documents requested therein,

Keeping also in mind that the Fourth World Conference on Women did not discuss the proposed merger of the Institute and the Fund, but outlined their mandates separately and distinctly,

Taking note of the opinion expressed by the Inspector in the report of the Joint Inspection Unit 3/ entitled "The advancement of women through and in the programmes of the United Nations system: what happens after the Fourth World Conference on Women", which states that the vast majority of women, and the most pressing problems for women, are in the developing world and that therefore at least one of the specific United Nations women's units should be based there as well,

1. Takes note of the note by the Secretariat pursuant to General Assembly resolution 49/160, dated 10 November 1995; 4/

2. Also takes note of the report of the Advisory Committee on Administrative and Budgetary Questions of 27 November 1995; 5/

3. Reaffirms the views expressed in paragraph 360 of the Platform for Action which states:

> "Recognizing the roles of United Nations funds, programmes and specialized agencies, in particular the special roles of UNIFEM and

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3/ A/50/509, para. 225.

4/ A/50/747-E/1995/126.

5/ A/50/785-E/1995/128.

INSTRAW, in the promotion of the empowerment of women, and therefore in the implementation of the Platform for Action within their respective mandates, inter alia, in research, training and information activities for the advancement of women as well as technical and financial assistance to incorporate a gender perspective in development efforts, the resources provided by the international community need to be sufficient and should be maintained at an adequate level";

4. Concurs with the views expressed in paragraphs 334 and 335 of the Platform for Action concerning the mandates of the Institute and the Fund;

5. Regrets that, owing to the absence of sufficient information on the legal, technical and administrative implications of the proposed merger, it is currently unable to decide on the proposed merger;

6. Urges the Secretary-General to implement the mandates of General Assembly resolution 49/163 of 20 December 1994;

7. Recommends that the interaction between the Commission on the Status of Women, the International Research and Training Institute for the Advancement of Women, the Committee on the Elimination of Discrimination against Women, the Division for the Advancement of Women of the Secretariat and the United Nations Development Fund for Women should be reviewed and rationalized within the context of ongoing efforts to revitalize the Economic and Social Council in pursuance of a stronger, more unified programme for the advancement of women as requested in paragraph 2 of General Assembly resolution 48/111;

8. Also recommends that any proposal dealing with the institutional structure and the mandates of the different United Nations bodies dealing with the advancement of women must be considered part of the general restructuring exercise of the United Nations.

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ADVANCEMENT OF WOMEN

Bolivia*, Kenya, Mongolia, Morocco and Turkey: draft resolution

International Research and Training Institute for the Advancement of Women

The General Assembly,

Recalling its resolution 48/105 of 20 December 1993,

Taking note of Economic and Social Council resolution 1995/45 of 27 July 1995,

Also taking note of the report of the International Research and Training Institute for the Advancement of Women, 1/

Reaffirming the original mandate and distinct capacity of the Institute to carry out research and training for the advancement of women, as stipulated in General Assembly resolution 3520 (XXX) of 15 December 1975,

Stressing the need for independent research to ensure that policy-making and project implementation address issues and emerging areas of concern to women, and the role of the Institute therein,

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* On behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States.

1/ E/1995/80.

Noting the recommendation of the Board of Trustees that the Institute should implement the recommendations emanating from the United Nations Conference on Environment and Development, the International Conference on Population and Development, the World Summit for Social Development and the Fourth World Conference on Women, especially those related to research and training needs for the advancement of women, and coordinate effectively with United Nations bodies and organizations to avoid duplication, 2/

Convinced that sustainable development cannot be achieved without the full participation of women,

Taking into account paragraph 334 of the Platform for Action adopted at the Fourth World Conference on Women, 3/

1. Expresses its satisfaction with the report of the International Research and Training Institute for the Advancement of Women and commends the Institute for its efforts to focus on problems that constitute barriers to improving the status of women and their equitable participation in the sustainable development process;

2. Emphasizes the unique function of the Institute as the only entity within the United Nations system devoted exclusively to research and training for the integration of women in development, and stresses the importance of making its research findings available for policy purposes and for operational activities;

3. Takes note of the analysis done by the Board of Trustees and its recommendation that the Institute should also report to the Second Committee of the General Assembly under relevant agenda items, in order to improve the coordination and synergy of its programmes with other economic and social issues;

4. Commends the efforts of the Institute to address all levels of poverty that hamper so dramatically the advancement of women, through research and training activities in the areas of empowerment of women; statistics and indicators in gender issues; communications; women, natural resources and sustainable development; water, sanitation and waste management; renewable sources of energy; and issues related to different population groups, such as older and displaced women, refugee and migrant women and women in rural areas;

5. Also commends the Institute for its efforts further to develop active and close cooperation with the specialized agencies and related organizations of the United Nations system, the International Training Centre of the International Labour Organization, the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the United Nations University, the regional commissions and other organs, programmes and

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2/ Ibid., para. 50.

3/ Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (A/CONF.177/20), chap. I, resolution 1, annex II.

institutions, so as to promote programmes that contribute to the advancement of women;

6. Reiterates the importance of maintaining the level of resources devoted to independent research and related training activities, which are crucial for the situation of women;

7. Expresses its appreciation also to those Governments and organizations which have contributed to and supported the activities of the Institute;

8. Invites Member States and intergovernmental and non-governmental organizations to contribute through voluntary contributions and pledges to the United Nations Trust Fund for the International Research and Training Institute for the Advancement of Women, thus enabling the Institute to continue to respond effectively to its mandate;

9. Requests the Secretary-General to submit to the General Assembly at its fifty-second session a report on the activities of the International Research and Training Institute for the Advancement of Women, especially on those activities related to research and training needs for the advancement of women as contained in the follow-up process of the plans and platforms emanating from the major United Nations conferences, under the item entitled "Advancement of women".